

CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 2002 - 22

AN ORDINANCE

**AMENDING SECTION 14-8.3(C) SFCC 1987 RELATING TO FLOOD REGULATIONS
USE REGULATIONS.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

**Section 1. Section 14-8.3(C) SFCC 1987 (being ordained as Ordinance No
2001-38) is amended to read:**

(C) Use Regulations

- (1) The requirements of this section are in addition to and not in lieu of other provisions of this chapter.
- (2) No new construction or substantial improvements shall be undertaken on lands within a flood hazard area unless such erection or alteration shall be in compliance with the provisions of this section.
- (3) No uses shall be permitted within the floodway, except those set out in this paragraph, as follows:
 - (a) Cultivating and harvesting of crops according to recognized soil conservation practices;
 - (b) Pasture, grazing land and outdoor plant nursery;
 - (c) Wildlife sanctuary, woodland preserve, arboretum;
 - (d) Outlet installations for sewage treatment plants, sealed public water supply wells;

- (e) Passive recreational uses such as parks or picnic areas;
- (f) Open area residential uses, such as lawns, gardens and play areas; provided that paved areas, walls or fences are not erected within the floodway; and
- (g) Stormwater management and arroyo or watercourse stabilization structures, such as check dams and gabions, if these structures are in compliance with all applicable state and federal regulations.

(4) The provisions applying to any flood hazard area or "A0" Zone of the FIRM are that:

- (a) All permits for construction within a flood hazard area shall be reviewed by the City Engineer;
- (b) No uses shall be permitted within the floodway except those specifically provided for in paragraph (3) above;
- (c) Storage, processing or disposal of materials that in time of flooding are buoyant, flammable, explosive, toxic or could be injurious to human, animal or plant life, are prohibited within the floodplain;
- (d) Railroads, streets, bridges, private and public utility lines and facilities, **structural** works for the control and handling of floodflows, such as dams, embankments, floodwalls, velocity control **structures** or required storm drainage control and handling works, may be allowed within the floodplain if properly floodproofed and approved by the City Engineer;
- (e) All newly created lots shall contain a buildable area that is

entirely outside of a special flood hazard area;

(f) Except as permitted in paragraph (5)(d) of this section, if an existing lot contains land both within and outside of a flood fringe area, any new construction ,including roads and driveways, shall only occur on the portion outside of the flood fringe area. Applicants who propose construction within the flood fringe on an existing lot with no other buildable area, shall obtain a variance and shall conform to the provisions set forth in paragraph (5), subparagraphs (a) through (i) of the section;

(g) On any application for land subdivision, where the tract of land or portions there of are located within a flood hazard area, the City Engineer or Planning Commission shall require the submittal of detailed hydrologic data indicating the water surface elevations for a one-hundred-year flood, to be shown for sections of the drainage channel at intervals of no greater than 100 feet. Upon on-site investigation, the City Engineer may waive the requirement for the submittal of detailed hydrologic data. The flood hazard area shall be further defined as **floodway** and flood fringe;

(h) All excavation and fill operations within the drainageways of flood hazard areas shall receive approval from the City Engineer prior to beginning any work;

In drainage ways where there is evidence of undercutting and bank erosion, the City Engineer may require an additional set back. The additional setback distance shall be determined by the

City Engineer based on soils and hydrologic information
supplied by the applicant;

- (j) For purposes of this section, the flood hazard zone shall be as shown on the appropriate FIRM flood hazard map, unless an applicant can demonstrate that the site under discussion is located where the FIRM map does not show base flood elevations and the parcel, lot, or buildable area under discussion would be situated above the base flood elevation; and
- (k) No fence, wall, or similar structure shall be erected in or across any arroyo, stream, or watercourse.

5) Special provisions applying to the flood fringe portion of the flood hazard area permit structures or uses within the flood fringe portion of the flood hazard area upon the approval of the City Engineer, to the extent that they are not prohibited by any other city ordinances, plans and policies, and meet the following requirements:

- (a) Residential or nonresidential structures, to be constructed or substantially improved in the flood fringe, shall have the lowest elevation of the finished floor grade not less than one foot above the level of the one-hundred-year flood. Where existing streets or utilities are at elevations which make compliance with this provision impractical, or in other special circumstances, the City Engineer may authorize other techniques for protection of the structures. Accessory land uses such as parking lots, may be located at an elevation below the level of the one-hundred-year flood;

Foundations of all structures shall be designed and constructed to withstand flood conditions at the proposed construction site;

(c) New construction and substantial improvements, with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a New Mexico registered professional engineer or architect or meet or exceed the following minimum criteria:

- (i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
- (ii) The bottom of all openings shall be no higher than one foot above grade; and
- (iii) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(d) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(e) Sanitary and storm sewer drains shall be equipped with valves capable of being closed, manually or automatically, to prevent

1 backup of sewage and storm waters into the building or
2 structure;

3 (f) The elevation attained by the one-hundred-year flood shall be
4 superimposed on the elevation drawings submitted to Planning
5 and Land Use Department for issuance of a building permit for
6 all sides of the building. The elevation drawings shall also
7 indicate the finished floor grade and location of all windows,
8 doors or other openings;

9 (g) Before issuance of a building permit for the construction of a
10 structure in the flood fringe, a professional engineer licensed in
11 the state shall certify that the structure has been designed to
12 conform with the provisions of paragraph (4), items (i) through
13 (v) of this section, and that all openings in the structure are no
14 less than one foot above the elevation of the one-hundred-year
15 flood. The same professional engineer that certifies that the
16 structure is designed to conform with the provisions of paragraph
17 (4), items (i) through (v) of this section shall also certify, upon
18 completion of the structure, that construction complies with the
19 submitted plans;

20 (h) The manufactured home shall be elevated on compacted fill or
21 pilings. The lowest floor of the manufactured home shall be no
22 less than one foot above the level of the one-hundred-year flood;

23 (i) Manufactured homes shall be anchored to resist flotation,
24 collapse or lateral movement by providing:

25 (i) Over-the-top ties at each of the four corners, with two

auditional ties per side at intermediate locations and for
manufactured homes less than 50 feet long, one over-
the-top tie at each of the four comers is required;

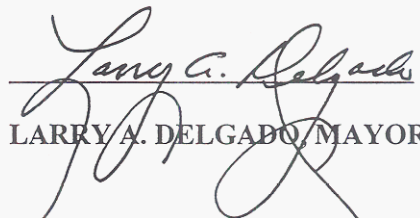
(ii) Frame ties at each comer of the manufactured home with
five additional ties per side at intermediate points and for
manufactured homes less than 50 feet long, four ties are
required per side;

(iii) All components of the anchor system shall be capable of
carrying a force of 4,800 pounds; and

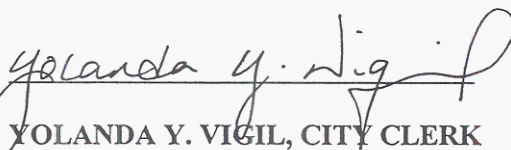
(iv) Additions to the manufactured home shall be similarly
anchored.

(10) For manufactured home parks located in the flood hazard area, a
vehicular circulation plan indicating alternative vehicular access and escape routes during
the one-hundred-year flood shall be submitted.

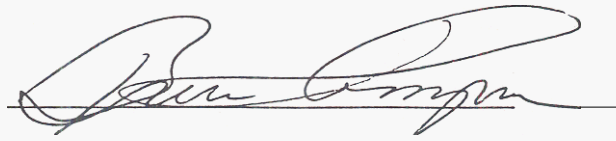
PASSED, APPROVED and ADOPTED this 8th day of May, 2002.


LARRY A. DELGADO, MAYOR

ATTEST:


YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Bruce Thompson", is written over a horizontal line.

BRUCE THOMPSON, CITY ATTORNEY